

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

VIRNETX INC., and LEIDOS, INC.,

Plaintiffs,

88

V.

C.A. No. 6:12-cv-00855-RWS

APPLE INC.,

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Defendant.

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JURY TRIAL DEMANDED

VIRNETX INC.'S TRIAL WITNESS LIST

Pursuant to the Tenth Amended Docket Control Order (Dkt. No. 539), entered in this case, Plaintiff VirnetX Inc. (“VirnetX”) files this Trial Witness List for identification and categorization of trial witnesses.

At this time, VirnetX identifies the following witnesses for trial:

	WITNESS	(A) WILL CALL	(B) MAY CALL	PROBABLY WILL NOT CALL
1.	Jones, Mark T. Employer: Virginia Polytechnic Institute and State University Topics: Infringement; Validity; Patents-In-Suit; Technology-In-Suit; Accused Products	√		
2.	Larsen, Kendall S. Employer: VirnetX, Inc. Topics: Technology-in-Suit; Patents-In-Suit; VirnetX	√		
3.	Larson, Victor J. Employer: VirnetX, Inc. Topics: Technology-In-Suit; Patents-In-Suit; VirnetX		√	
4.	Mathur, Sameer		√	

	WITNESS	(A) WILL CALL	(B) MAY CALL	PROBABLY WILL NOT CALL
	Employer: VirnetX, Inc. Topics: Technology-in-Suit; Patents-In-Suit; VirnetX			
5.	Munger, Edmund Colby Employer: Retired Topics: Technology-In-Suit; Patents-In-Suit; VirnetX	√		
6.	Short, III, Robert Dunham Employer: VirnetX, Inc. Topics: Technology-In-Suit; Patents-In-Suit; VirnetX	√		
7.	Williamson, Mike Employer: VirnetX, Inc. Topics: Technology-In-Suit; Patents-In-Suit; VirnetX		√	
8.	Wood, Greg Employer: VirnetX, Inc. Topics: Technology-In-Suit; Patents-In-Suit; VirnetX			√
9.	Weinstein, Roy Employer: Micromomics, Inc. Topic: Damages	√		
10.	Wecker, William Employer: William E. Wecker Associates, Inc. Topic: Damages	√		
11.	Peterson, Gale R. Employer: Law Offices of Gale R. Peterson PLLC Topics: Inequitable Conduct; PTO Practice and Procedure			√
12.	Leidos Representative Employer: Leidos, Inc. Topics: Technology-In-Suit; Patents-In-Suit; VirnetX; SAIC/Leidos			√
13.	Defendant's Corporate Representative(s) at trial Employer: Apple Topics: TBD once Apple identifies this witness		√	
14.	Kusmer, Toby			√

	WITNESS	(A) WILL CALL	(B) MAY CALL	PROBABLY WILL NOT CALL
	Employer: McDermott Will & Emery LLP Topics: Patent Prosecution; Inequitable Conduct			
15.	Rashid, Hasan Employer: McDermott Will & Emery LLP Topics: Patent Prosecution; Inequitable Conduct			✓
16.	Gates, Patrick Employer: Apple, Inc. Topics: Accused Products; Technology-In-Suit; Patents-In-Suit; Damages; Apple	✓		
17.	Allie, Christophe Employer: Apple, Inc. Topics: Accused Products; Technology-In-Suit; Patents-In-Suit		✓	
18.	Matthew Blaze Employer: University of Pennsylvania Topics: Infringement, Patents-in-Suit, Technology-in-Suit.	✓		
19.	Lee Van Pelt Employer: Van Pelt, Yi & James Topics: Damages, Indirect Infringement, Willfulness		✓	
20.	Any Apple Witness Called at the Consolidated -417/-855 Trial or severed -417 Retrial Not Called at Severed -855 Trial. Topics: Infringement, Damages, Willfulness, Technology-in-Suit, Patents-in-Suit.		✓	
21.	Testimony provided, produced, and/or taken in this case		✓	

VirnetX expressly reserves the right to call live, by video, or by deposition any witness on this list or any witness on Defendant's witness lists. VirnetX hereby expressly reserves the right to supplement, augment, or otherwise modify this list based on circumstances as they may evolve prior to the commencement of trial. Many witnesses

presented by VirnetX or Apple would only be relevant to legal issues. VirnetX objects to the presentation of legal issues to the jury.

DATED: January 22, 2018.

Respectfully submitted,

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/s/ Jason D. Cassady _____

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**ATTORNEYS FOR PLAINTIFF
VIRNETX INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on this 22nd day January, 2018. Local Rule CV-5(a)(3)(A).

/s/ Jason Cassady
Jason D. Cassady